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PART I.

IMPORTANT GOVERNMENT ORDERS.

CHIEF SECRETARIAT.

Grant of loans for building tiled houses in place of thatched ones in rural areas.

READ—

Subject No. 26 of the Representative Assembly of September 1925, proposed by Messrs. C. Subba Rao, A. Ananthiah and others of Shimoga District regarding the grant of Takavi Loans for encouraging raiyats to build tiled houses by way of prevention against destruction by fire.

2. Correspondence ending with letter No. C.-2165—25-26, dated 26th July 1926, from the Revenue Commissioner, furnishing his opinion together with those of the Deputy Commissioners of Districts in the matter.

ORDER No. R. 50-104—L. R. 299-25-42, DATED CAMP MYSORE, 17TH OCTOBER 1926.

The existing rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code provide for the grant of loans to agriculturists for the building of houses in tracts newly made available for occupation and for the rebuilding of houses destroyed by fire or by flood, the loan in such cases being repayable in ten years or less. At the session of the Representative Assembly in September 1925 representations were made that loans might be given to build tiled houses so as to prevent chances of accidents by fire. Government undertook to consider the suggestion and have since obtained the opinion of the Revenue Commissioner in the matter. That Officer in consultation with the Deputy Commissioners of Districts, states that the suggestion deserves sympathetic consideration and proposes the addition of a rule to the rules referred to above, including the building of tiled houses in place of thatched ones in rural areas among the purposes for which loans might be granted. As the Land Improvement and Takavi Loans are meant only for holders of arable land and it is desirable that other persons also in rural areas should be helped to build tiled houses, he recommends the extension of the concession to non-agriculturists such as petty tradesmen, labourers, artisans, etc., as in the case of flood relief loans.

2. Government are pleased to approve of the proposals made by the Commissioner. A rule will be added to the rules Land Improvement Loans Regulation and Section 1 Land Revenue Code as noted in the margin. A suitabl will be provided for the grant of these loans in the bud year. The loans granted for the purpose will be repayable in a period not exce years as in the case of the loans for buildings provided under the existing rules. loans may also be granted on the authority of this order to persons who are not h lands, such as, shikmidars, cultivators, petty tradesmen, labourers, artisans, i jodidars, etc. Loans granted to such people should be subject to the furnishing o security and the execution of an agreement in proper form providing for the re the loans as arrears of Land Revenue in case of default and for the amount of loan first charge on the mortgage basis on houses built with such loans.

To Rule I B ii (b) add 'or the building of tiled houses in place of thatched ones in rural areas.'

3. The Revenue Commissioner is requested to propose suitable rules toget the form of agreement for regulating the grant of these loans.

P. G. D'SO
Chief Secretary to Gov

Condonation of delays.

READ—

Letter No. C. 1404—25-26, dated 26th July 1926, from the Revenue C sioner in Mysore, stating that the procedure of condoning delays in payment purchase money in sales of the right of occupancy of unoccupied Government should be regularised and provided for, in the Land Revenue Rules, and sug amendments to Rule 26 of the Rules an consequential addition to condition the terms of the Sale Proclamation Form ppendix B (2) of the Land Revenue and alsc some minor additions in conditions 9 and 10 of the said Form.

2. Un-official Note dated 17th August 1926, from the Inspector of Office S furnishing his opinion in the matter.

ORDER No. R. 2335-95—L. R. 43-26-9, DATED 22ND OCTOBER 1926.

Sections 180 and 181 of the Land Revenue Code read with Rule 26 of the Revenue Rules, lay down that the full amount of the purchase money in sa unoccupied Government lands shall be paid before the sunset of the fifteenth da the date of the sale, and that, in default, the occupancy right shall be resold.

2. The question of amending Rule 26 of the Land Revenue Rules, so as power to condone unavoidable delay in some cases and remove undue har caused by a strict enforcement of the fifteen days' rule, has been under the cons tion of Government for some time past. The Revenue Commissioner has also, letter read above, urged the need for suitable amendment, and suggests amend to Rule 26 of the Land Revenue Rules and consequential addition to condition the terms of the Sale Proclamation Form (Appendix B (2) Land Revenue Rule that, Government may have power to condone delays and also waive forfeitu deposit money, in deserving cases, the Revenue Commissioner being also empo to condone delays where the period does not exceed one month. In this conne the Revenue Commissioner has also proposed some minor additions to condition and (10) of the said Form, so as to include therein cesses prescribed by Gover from time to time, other than the Local Fund Cess.

3. Government approve of the amendments proposed by the Revenue missioner, with the modifications that the period should not exceed 15 days wh condonation is ordered by the Revenue Commissioner and that a penalty not exce ten per cent of the purchase amount or Rs. 50 should also be recovered. The accordingly pleased to amend Rule 26 and the conditions Nos. 6, 9 and 10 Proclamation Form (Appendix B (2) of the Land Revenue Rules), as under:—

Rule 26.—"Every sale by auction under these Rules, or in pursuance of a the provisions of the Land Revenue Code, shall, unless otherwise provided fo conducted so far as may be, in accordance with Sections 171, 172, 176 to 183 inclusive, and 186 of the said Code. Sales not otherwise provided for, shall be by auction by such persons as may be authorized in this behalf, by these Rule the Deputy Commissioner. No sales of

Sales of land shall be subject to confirmation by the Deputy Commissioner or by some other officer authorized by these Rules or by the Deputy Commissioner, such confirmation not being ordered before the date of payment of the full amount of purchase money.

Provided that, in conducting the following sales:—

(*a*) sales of the right of grazing and of the right to take or cut grass in waste lands,

(*b*) sales of the right to take the fruit of specified Government trees for a specified period, and

(*c*) sales of dead wood,

the procedure shall be in accordance with such orders as may, from time to time, be made by the Deputy Commissioner, either generally or specially in this behalf, instead of the procedure prescribed in Sections 171 and 172 of the Land Revenue Code.

The Government or the Revenue Commissioner may for sufficient cause condone delay in the payment of the full amount of purchase money, and also waive forfeiture of the deposit money, and the authority condoning the delay may, in its discretion levy a penalty up to ten per cent of the purchase money, not exceeding Rs. 50 in any case. The power herein conferred on the Revenue Commissioner shall be limited to cases of delay not exceeding fifteen days.

The proclamation and written noticeof sale required to be issued under Sections 171 and 172 of the said Code shall be in one of the forms contained in Appendix B or as near thereto as may be.

Appendix B (2) Form of Proclamation and written notice of sale of the Right of occupancy of unoccupied land.

* * *

Conditions of sale are given below—

* * *

6. In default of payment within the said period of the full amount of the purchase money, the deposit, after defraying thereout the expenses of the sale shall be forfeited to Government, and the occupancy right shall be resold, and the defaulting purchaser shall forfeit all claim to to the occupancy right, or to any part of the sum for which it may be subsequently sold.

Government or the Revenue Commissioner to the extent empowered in this behalf, may for sufficient cause, condone delay in payment of the full amount of purchase money, and also waive forfeiture of deposit money, and the authority condoning the delay may, in its discretion, levy a penalty up to ten per cent of the purchase money, not exceeding Rs. 50 in any case.

* * *

9. The purchaser shall previously to entering upon occupation of the land, obtain the permission in writing of the Amildar or Deputy Amildar under Section 58 of the Land Revenue Code. Such permission will only be accorded on the purchaser's paying Local Fund Cess at the rate of one anna in the rupee on the amount of the purchase money, *and other cesses prescribed by Government from time to time.* If the land is occupied without such permission being first obtained, the occupation will be liable to be treated as unauthorised under Section 59 of the Land Revenue Code.

It is to be distinctly understood that the Government are not responsible for errors of description or in estimated extent of the land.

10. The purchaser will have to pay the assessment of the land, *that has been fixed or may be fixed*, and local fund *and other cesses*, thereon, commencing with the year. Provided that, if without his own fault, he does not obtain possession of the land in due time to make use of it that year, he shall not be chargeable with the assessment and Local Fund *and other cesses* thereof till the next following year.

5. A notification for the above amendments will issue separately.

P. G. D'SOUZA,
Chief Secretary to Government.

Coffee and Cardamom Cultivation.

READ—

Government Order No. R. 2466-75—L. R. 41-09-5, dated the 21st September 1909, directing that within the ever-green belt on the eastern slopes of the ghats, no land can be given out for cardamom cultivation without sanction of Government and